

On January 4, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$60 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13962. Misbranding of Diabetylin, Haemozon 10A, Haemozon 10A Effervescent, and Astonax. U. S. v. 174 Packages of Diabetylin, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20052, 20053, 20055. I. S. Nos. 24801-v, 24803-v, 24804-v, 24805-v, 24807-v. S. No. C-4721.)

On May 4, 1925, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 84 packages of Haemozon 10A, and 11 packages of Haemozon 10A Effervescent, 174 packages of Diabetylin, and 41 bottles of Astonax, at Chicago, Ill., alleging that the articles had been shipped by the Haemozon Products Co., from West Bend, Wis., between the dates of June 14, 1924, and March 16, 1925, and transported from the State of Wisconsin into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this Department of samples of the article showed that the Diabetylin consisted essentially of yeast and sodium phosphate; the Haemozon 10A and the Haemozon 10A Effervescent consisted essentially of magnesium carbonate and magnesium peroxide; and the Astonax consisted essentially of a mixture of alcohol, sugar and water, with a small amount of extracts from plant materials.

Misbranding of the articles was alleged in the libels for the reason that the following statements borne on the labelings of the respective products, regarding their curative and therapeutic effects, to wit: (Haemozon 10A and Haemozon 10A Effervescent, can label) "Highly recommended to combat all diseases resulting from prolonged Faulty Metabolism, that is improper assimilation of foodstuffs, or diseases due to an excess of Waste Products and Toxins (Body-Poisons) present within the system. The use of Haemozon is therefore indicated when suffering from * * * Piles; certain Liver- and Gall Complaints; * * * Nephritis, Diabetes, Arteriosclerosis, and kindred diseases; in certain Heart" ("Head" in a portion of labels) "and Stomach Troubles due to Indigestion or Neuroses; in diseases of the Nervous System, Insomnia; in Eczematous Eruptions of the Skin; finally in Anemia and what is generally called a Run-Down Condition. Haemozon stirs up all Body Poisons and Uric Acids * * * Health and Strength through Oxygen * * * to insure thorough eliminating process * * * so that waste matter stirred up by the action of nascent Oxygen may be removed readily," (Diabetylin, box label) "Diabetylin * * * for improving the work of the Intestinal Bacteria and increasing the Carbohydrate tolerance of sufferers from Diabetes," (Diabetylin, leaflet directions) "An overdose is impossible, as any person can safely take any quantity as injurious after-effects are never produced. At the commencement of the treatment the patient should resort to as uniform diet as possible and take regularly * * * 2 to 4 tablets, until a decrease in the excretions of sugar has been clearly proved, * * * The following quantities generally suffice to lead to a success: 250 g. Diabetylin for specially favourable cases 500 g. Diabetylin for less favourable cases, 1000 g. Diabetylin for stubborn cases * * * The effect of Diabetylin is not diminished even when used for years," (Astonax, bottle label) "Health and Strength * * * highly efficient Gland Stimulant * * * Especially indicated when suffering from Gall Stones, Kidney Stones, Arteriosclerosis (Hardening Of The Arteries), or kindred diseases caused by inefficient action of the glands. * * * A cure should be undertaken once every six months. Several bottles of Astonax per cure should prove sufficient," (Astonax, circular) "It acts on all the glands of the body, stimulating them to greater activity, and thereby causes the speedier removal of accumulated waste products and body poisons. Diseased or lazy glands interfere with the proper assimilation of the indigested foodstuffs, also lose their ability to prevent the deposition and elimination of waste products, which by their accumulation cause the symptoms incident to Old Age, besides many serious and painful diseases of an acute or chronic nature. So we find these body-slugs in the form of solids and semi-solids as Gall Stones, Kidney Calculi, etc. Arteriosclerosis (Hardening of the Arteries) is also indirectly brought about by the same faulty processes. In Astonax a means has been

found to vitalize and stimulate these processes of removal. * * * patients suffering from Gall and Kidney Stones, also in progressed Arteriosclerosis. Patients suffering from attacks of Gall Stone Colic for months, even years, have been freed of such attacks, and enjoy a better health in every way. Patients afflicted with Hardening of the Arteries have had their blood pressure considerably lowered. Gain in weight was often noticed, while attacks of Vertigo (Dizziness) gradually disappeared. Remarkable Rejuvenation was often noticed in people during and after the treatment. * * * impoverished blood showed * * * a considerable increase of hemoglobin * * * better assimilation takes place * * * strengthens the red blood corpuscles * * * use the Haemozon 10A, in combination, when Astonax is used, thereby renovating the entire system thoroughly, through its Oxygen Action," were false and fraudulent, in that the above-quoted statements represented that the respective articles contained ingredients or medicinal agents effective as a remedy for the several diseases, ailments, and afflictions mentioned in the said statements, whereas the articles contained no ingredients or combinations of ingredients effective for the said purposes. The 41 bottles of Astonax were further alleged to be misbranded, in that the statement "Alcohol 18%" was false and misleading as the said article contained more than 18 per cent of alcohol.

On December 21, 1925, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13963. Adulteration of canned salmon. U. S. v. Kadiak Fisheries Co. Plea of guilty. Fine, \$50. (F. & D. No. 19610. I. S. Nos. 7773-v, 20235-v.)

On May 8, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Kadiak Fisheries Co., a corporation, Seattle, Wash., alleging shipment by said company, in violation of the food and drugs act, on or about July 25, 1924, from the Territory of Alaska into the State of Washington, of a quantity of canned salmon which was adulterated. The article was labeled in part: "Criterion Brand Pink Alaska Salmon Packed By Kadiak Fisheries Co. Offices—Seattle, Wash."

Examination by the Bureau of Chemistry of this Department of 480 cans of the article from the shipment showed 85 cans, or 17 per cent, of decomposed salmon.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy and decomposed animal substance.

On November 23, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13964. Adulteration of canned shrimp. U. S. v. 24½ Cases, et al., of Canned Shrimp. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20668, 20669. I. S. Nos. 5452-x, 5453-x S. Nos. E-5595, E-5596.)

On November 30, 1925, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 49 cases of canned shrimp, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Houma Packing Co., Inc., from Houma, La., October 27, 1925, and transported from the State of Louisiana into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Ho-Ma Brand Shrimp Packed By Houma Packing Co. Houma, La. Wet Pack."

Adulteration of the article was alleged in the libels for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On December 19, 1925, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*